

## PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

To:

WEST-WALKER, Gregory, James  
A J PARK  
Huddart Parker Building, 6th floor  
1 Post Office Square  
P.O. Box 949  
Wellington 6015  
NOUVELLE-ZÉLANDE

Date of mailing (day/month/year) 21 March 2001 (21.03.01)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference 24752 GWW/eaw	
International application No. PCT/NZ99/00137	International filing date (day/month/year) 24 August 1999 (24.08.99)

1. The following indications appeared on record concerning:

☒ the applicant      ☐ the inventor      ☐ the agent      ☐ the common representative

Name and Address CANTERPRISE LIMITED Forestry School Building Forestry Road Ilam Christchurch New Zealand	State of Nationality NZ	State of Residence NZ
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person      ☐ the name      ☐ the address      ☐ the nationality      ☐ the residence

Name and Address	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

**Please note that the applicant CANTERPRISE LIMITED has been deleted from our records since he assigns his rights for all designated States except the United States of America (US) to CARTER HOLT HARVEY LIMITED.**

4. A copy of this notification has been sent to:

☒ the receiving Office      ☐ the designated Offices concerned  
☐ the International Searching Authority      ☒ the elected Offices concerned  
☐ the International Preliminary Examining Authority      ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer F. Baechler
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

Form PCT/IB/306 (March 1994)

003910904

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
 United States Patent and Trademark  
 Office  
 Box PCT  
 Washington, D.C.20231  
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 11 April 2000 (11.04.00)	Applicant's or agent's file reference 24752 GWW/eaw
International application No. PCT/NZ99/00137	
International filing date (day/month/year) 24 August 1999 (24.08.99)	Priority date (day/month/year) 24 August 1998 (24.08.98)
Applicant ALBERT, Denis, John et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 07 March 2000 (07.03.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Jean-Marc Vivet

Telephone No. (41-22) 338 83 38

## PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

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To:

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Wellington 6015  
NOUVELLE-ZÉLANDE

Date of mailing (day/month/year) 21 March 2001 (21.03.01)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference 24752 GWW/eaw	
International application No. PCT/NZ99/00137	International filing date (day/month/year) 24 August 1999 (24.08.99)

1. The following indications appeared on record concerning:

☐ the applicant      ☐ the inventor      ☒ the agent      ☐ the common representative

Name and Address WEST-WALKER, Gregory, James West-Walker Bennett Mobil on the Park P.O. Box 1344 157 Lambton Quay Wellington 6001 New Zealand	State of Nationality	State of Residence
	Telephone No. +64 4 499 9058	
	Facsimile No. +64 4 499 9306	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person      ☐ the name      ☒ the address      ☐ the nationality      ☐ the residence

Name and Address WEST-WALKER, Gregory, James A J PARK Huddart Parker Building, 6th floor 1 Post Office Square P.O. Box 949 Wellington 6015 New Zealand	State of Nationality	State of Residence
	Telephone No. +64 4 473-8278	
	Facsimile No. +64 4 472-3358	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office      ☐ the designated Offices concerned  
☐ the International Searching Authority      ☒ the elected Offices concerned  
☐ the International Preliminary Examining Authority      ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  F. Baechler
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

09/763511  
5000

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/NZ 99/00137

## A. CLASSIFICATION OF SUBJECT MATTER

Int Cl<sup>6</sup>: G01N 33/46, 29/18

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC:G01N 33/46, 29/-

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
WPAT, JAPIO; IPC and keywords used.

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5224381 A (Sandoz et. al.) 6 July 1993. Abstract.	
A	Patent Abstracts of Japan, P-38, page 25, JP 55-116201 A (SANYO KOKUSAKU PULP K.K.) 6 September 1980. See the abstract.	
A	Derwent Abstract Accession No. F0404W/19, Class P43, R16, SU 426192 A (MUSIC IND. RES. INST.) 24 October 1974. See the abstract.	

☒ Further documents are listed in the  
continuation of Box C

☒ See patent family annex

### \* Special categories of cited documents:

"A" Document defining the general state of the art which is  
not considered to be of particular relevance  
"E" earlier application or patent but published on or after the  
international filing date  
"L" document which may throw doubts on priority claim(s)  
or which is cited to establish the publication date of  
another citation or other special reason (as specified)  
"O" document referring to an oral disclosure, use, exhibition  
or other means  
"P" document published prior to the international filing date  
but later than the priority date claimed

"T" later document published after the international filing date or  
priority date and not in conflict with the application but cited to  
understand the principle or theory underlying the invention  
"X" document of particular relevance; the claimed invention cannot  
be considered novel or cannot be considered to involve an  
inventive step when the document is taken alone  
"Y" document of particular relevance; the claimed invention cannot  
be considered to involve an inventive step when the document is  
combined with one or more other such documents, such  
combination being obvious to a person skilled in the art  
"&" document member of the same patent family

Date of the actual completion of the international search

02 November 1999

Date of mailing of the international search report

16 NOV 1999

Name and mailing address of the ISA/AU

AUSTRALIAN PATENT OFFICE  
PO BOX 200  
WODEN ACT 2606 AUSTRALIA  
E-mail address: pct@ipaaustralia.gov.au  
Facsimile No.: (02) 6285 3929

Authorized officer

*I. A. Barrett*

I.A. BARRETT

Telephone No.: (02) 6283 2189

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ 99/00137

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,A	Derwent Abstract Accession No. 99-151830/13, Class F09, J04, SE 9802396 A (NORSKE SKOGSINDUSTRIER ASA NORSK SKOG TE) 5 January 1999. See the abstract.	
P,A	Derwent Abstract Accession No. 99-166089/14, Class F09, SE 9702513 A (STFI SKOGSINDUSTRINS TEKNISKA FORSKNINGS) 28 December 1998. See the abstract.	

### Information on patent family members

International application No.  
**PCT/NZ 99/00137**

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
US	5224381	CA	117085	EP	456776	FI	913610
		NO	912961	US	5224381	WO	9108477

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification <sup>6</sup> : <b>G01N 33/46, 29/18</b>	<b>A1</b>	(11) International Publication Number: <b>WO 00/11467</b>
		(43) International Publication Date: 2 March 2000 (02.03.00)

(21) International Application Number: PCT/NZ99/00137

(22) International Filing Date: 24 August 1999 (24.08.99)

(30) Priority Data:  
331527 24 August 1998 (24.08.98) NZ

(71) Applicants (for all designated States except US): CARTER HOLT HARVEY LIMITED [NZ/NZ]; 640 Great South Road, Manukau City, Auckland (NZ). CANTERPRISE LIMITED [NZ/NZ]; Forestry School Building, Forestry Road, Ilam, Christchurch (NZ).

(72) Inventors; and  
(75) Inventors/Applicants (for US only): ALBERT, Denis, John [NZ/NZ]; 82 Tasman Drive, Tokoroa (NZ). WALKER, John, Corrie, Fleming [GB/NZ]; 305 Kennedys Bush Road, Christchurch (NZ). DICKSON, Ross, Lindsay [NZ/NZ]; Gower Downs, Cheviot RD1, North Canterbury (NZ). CLARK, Thomas, Alan [NZ/NZ]; 16 Awatea Terrace, Rotorua (NZ).

(74) Agents: WEST-WALKER, Gregory, James et al.; West-Walker Bennett, Mobil on the Park, P.O. Box 1344, 157 Lambton Quay, Wellington 6001 (NZ).

(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

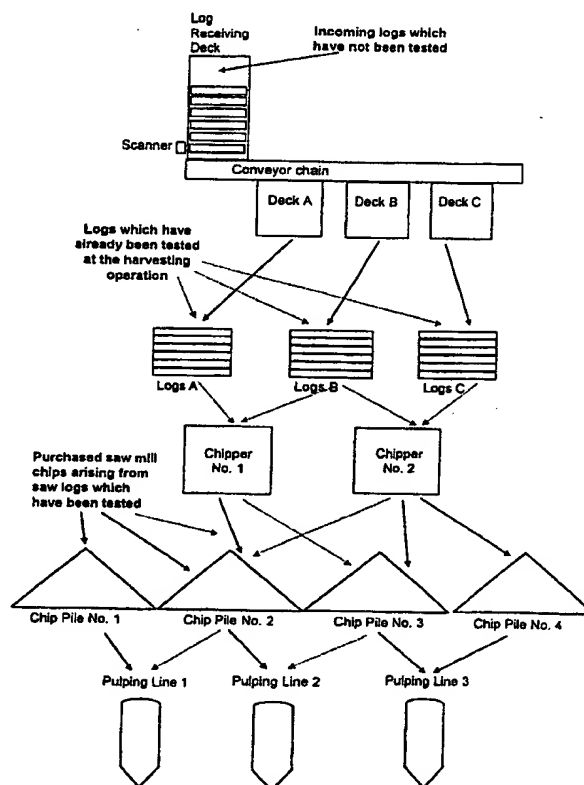
Published

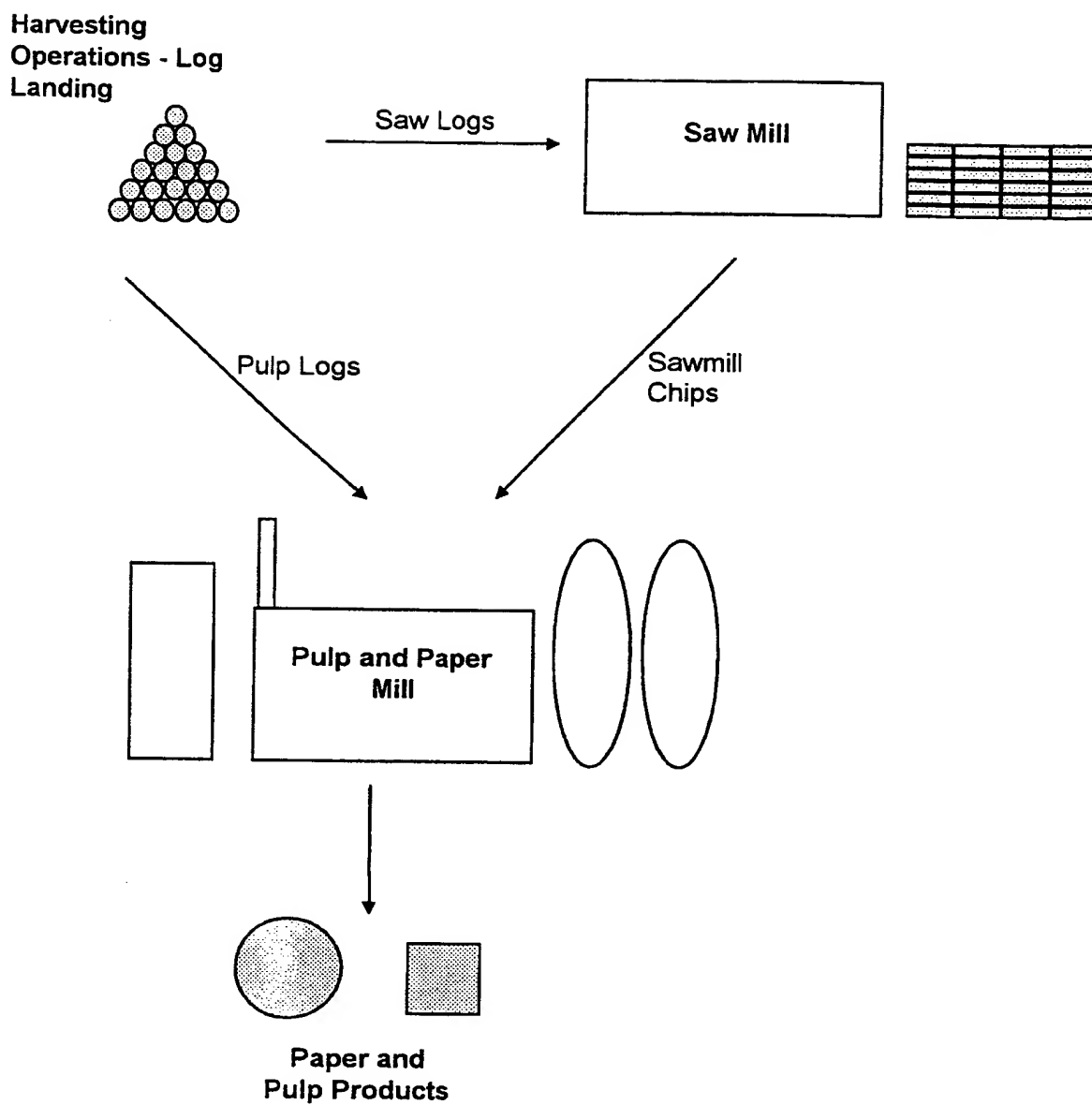
With international search report.

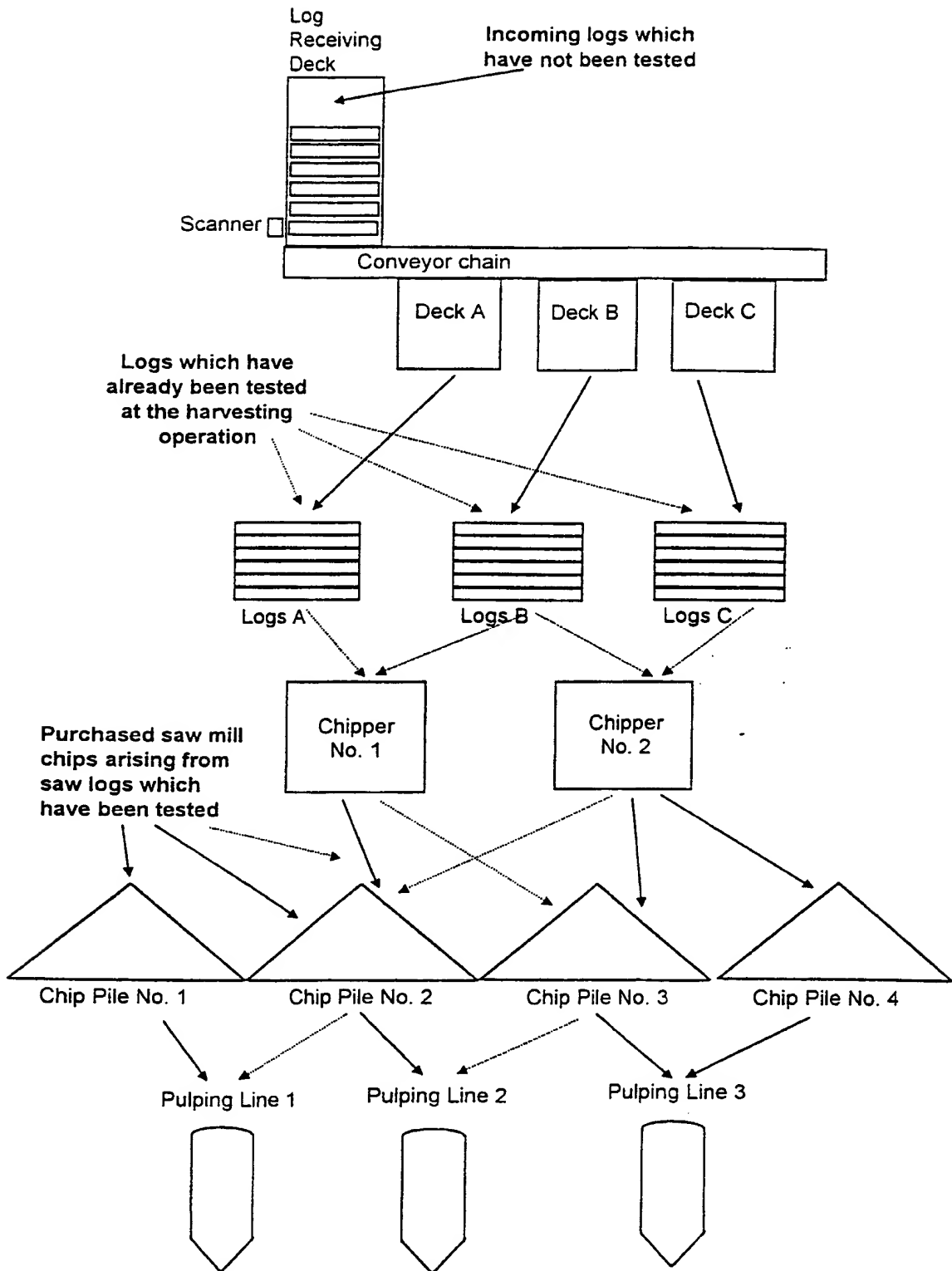
(54) Title: METHOD OF SELECTING AND/OR PROCESSING WOOD ACCORDING TO FIBRE CHARACTERISTICS

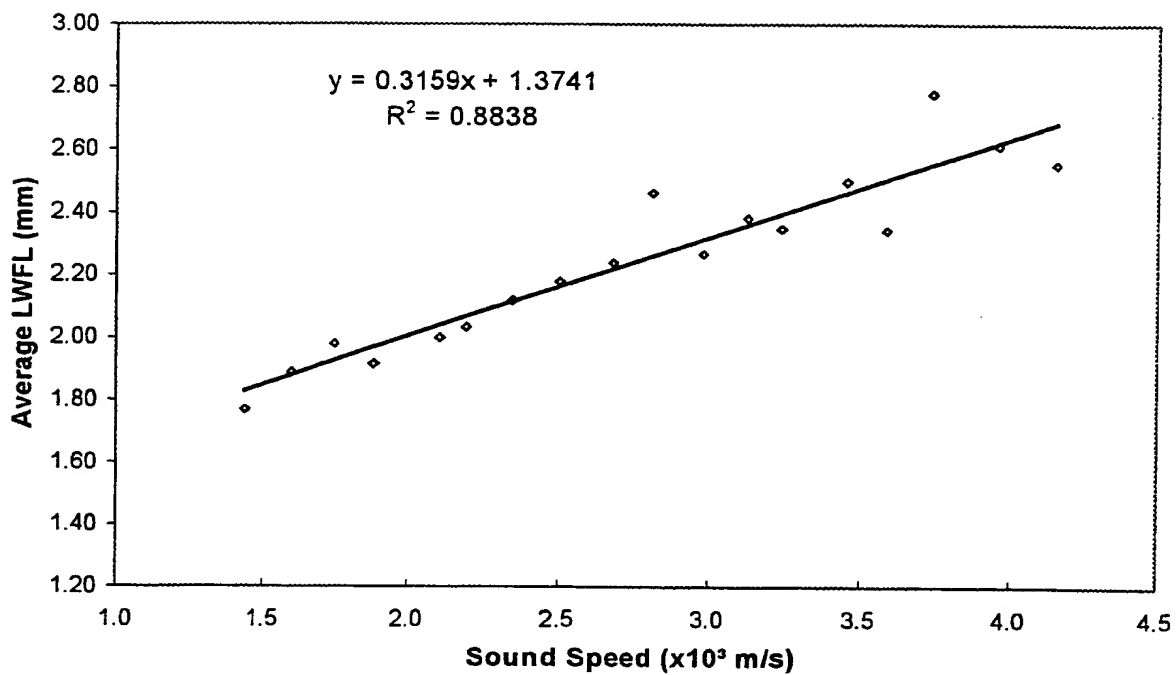
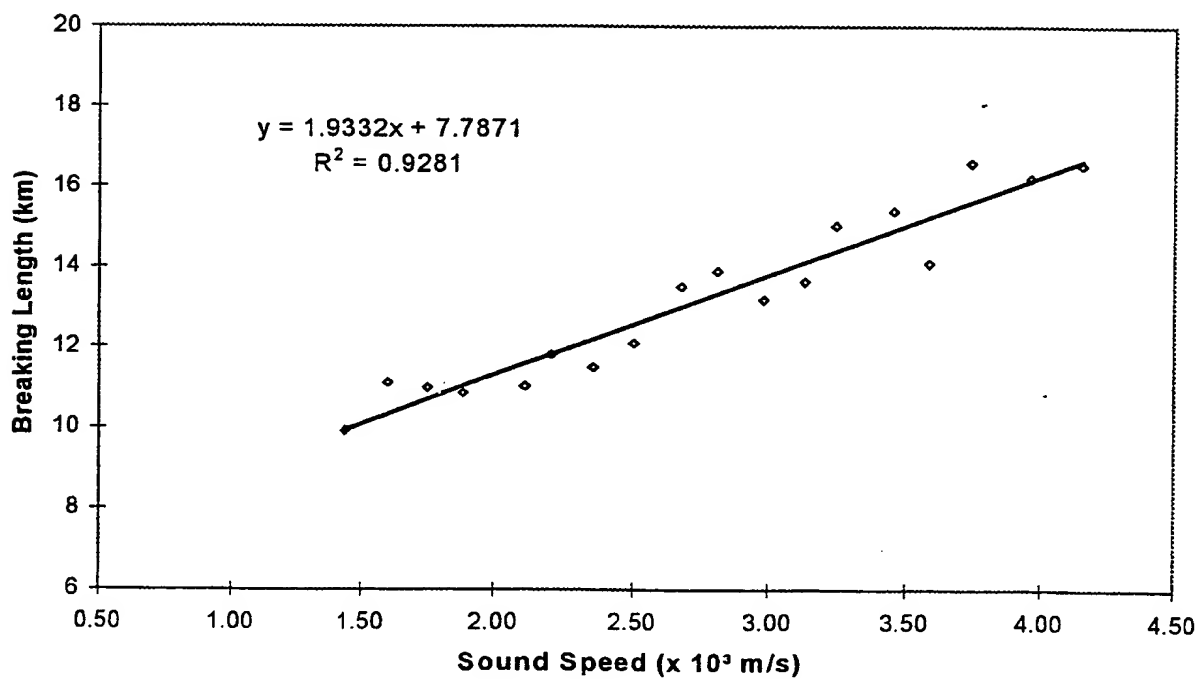
(57) Abstract

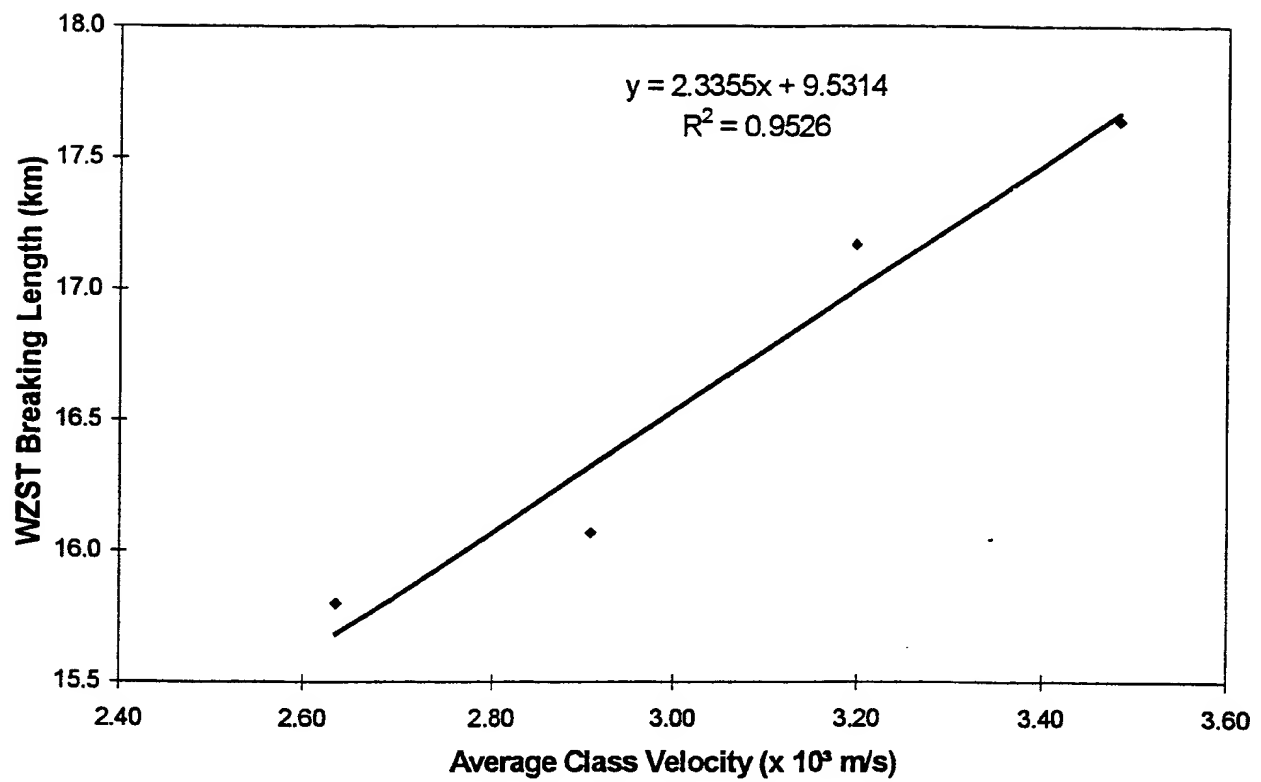
The invention provides a method for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood. The method comprises the steps of determining the velocity of sound through the solid wood, and assessing characteristic(s) of wood fibre or wood pulp produced from the wood by reference to the velocity of sound through the solid wood. The method may also comprise the steps of causing a sound wave to be transmitted through the wood, determining the velocity of the sound wave through the wood, and comparing the result to stored information on fibre characteristic(s) versus sound velocity through the wood-type to determine the fibre characteristic(s) for the wood.

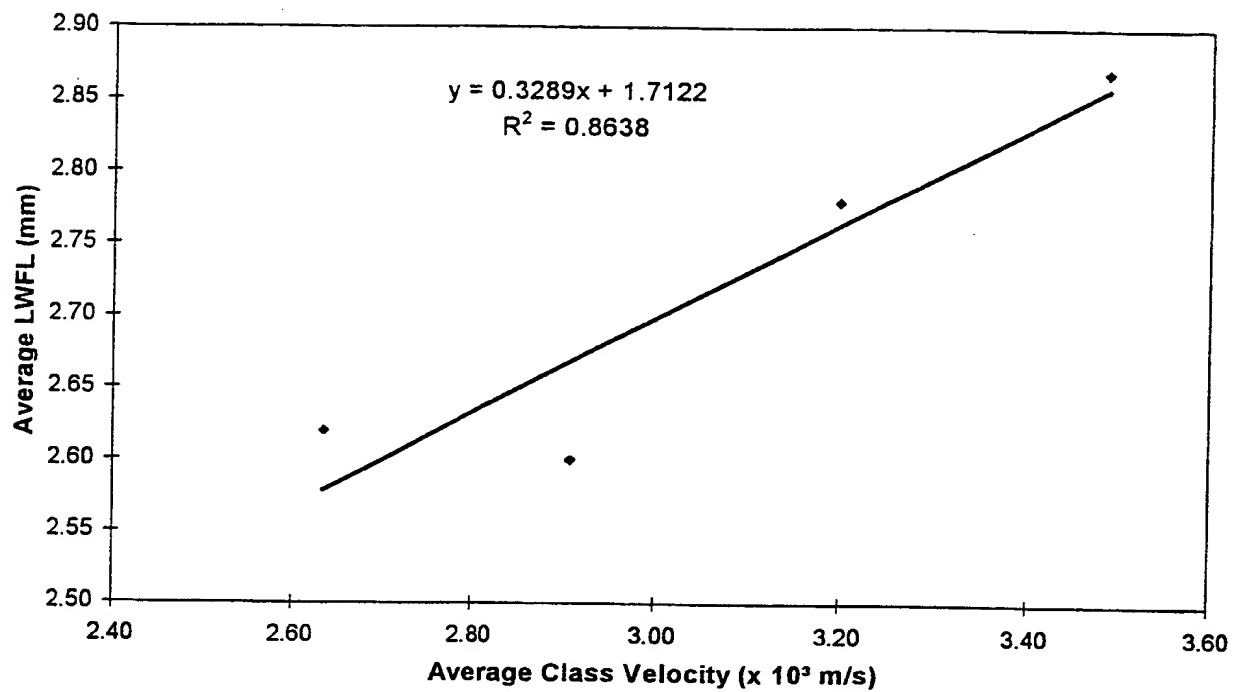
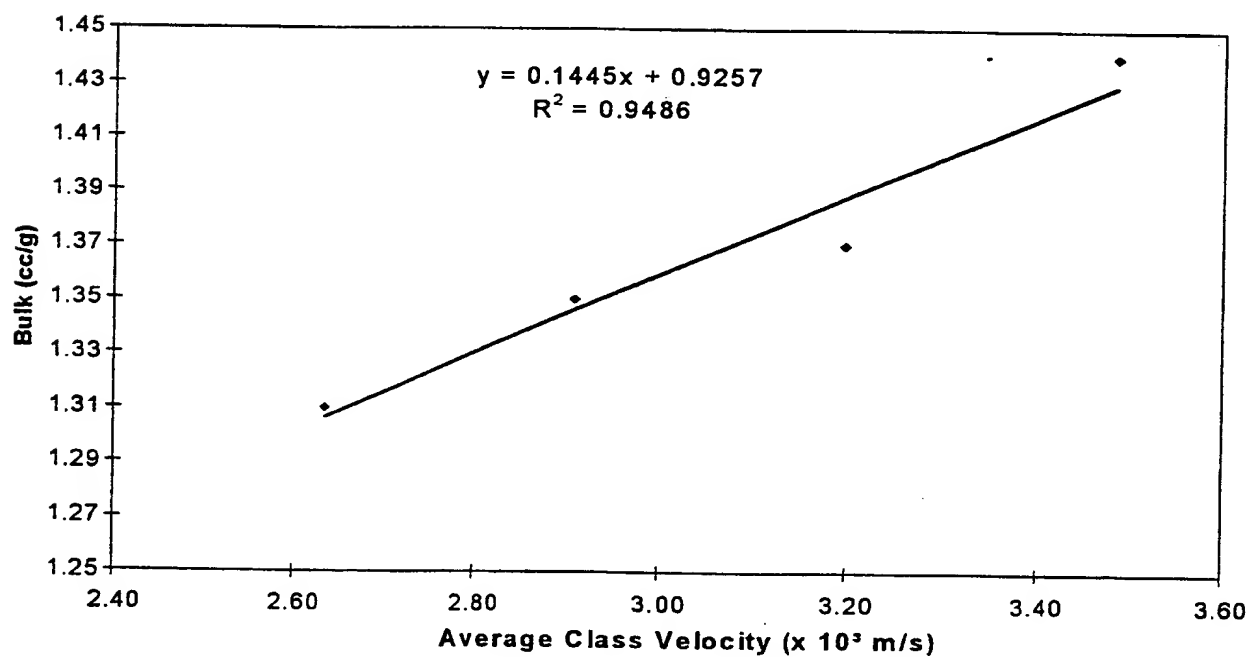


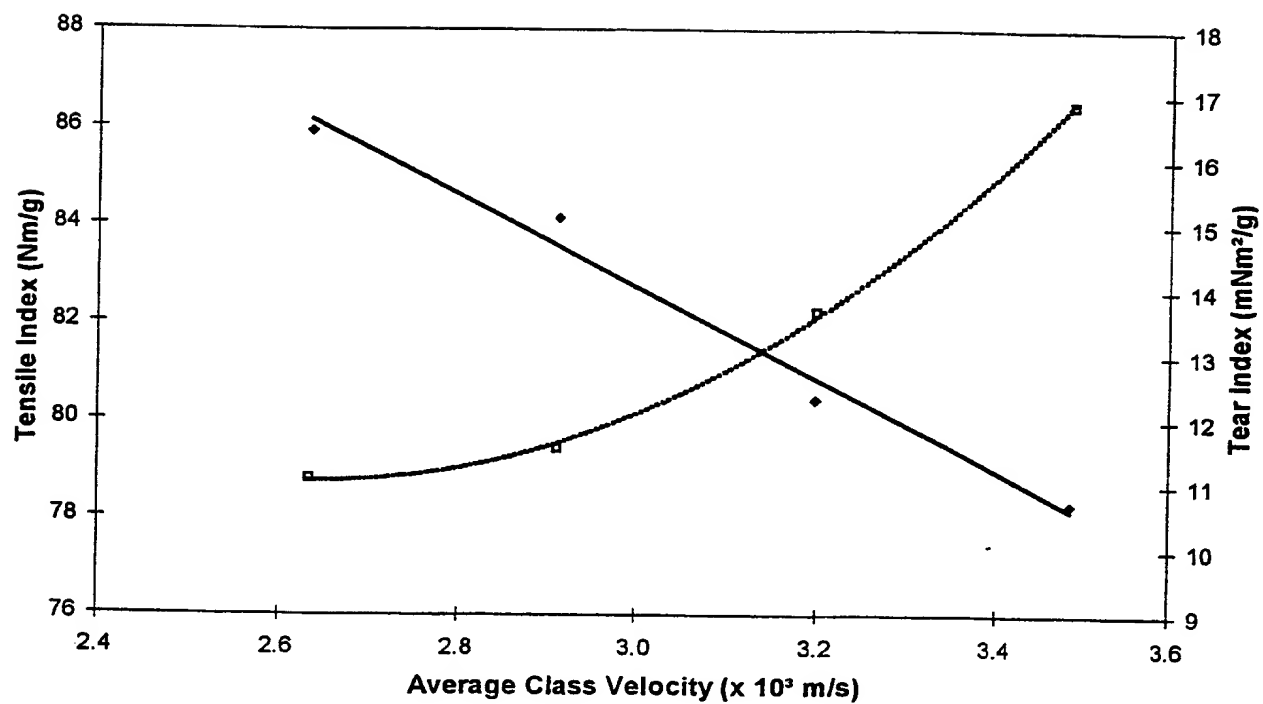
**FIGURE 1**

**FIGURE 2**

**FIGURE 3****FIGURE 4**

**FIGURE 5**

**FIGURE 6****FIGURE 7**

**FIGURE 8**

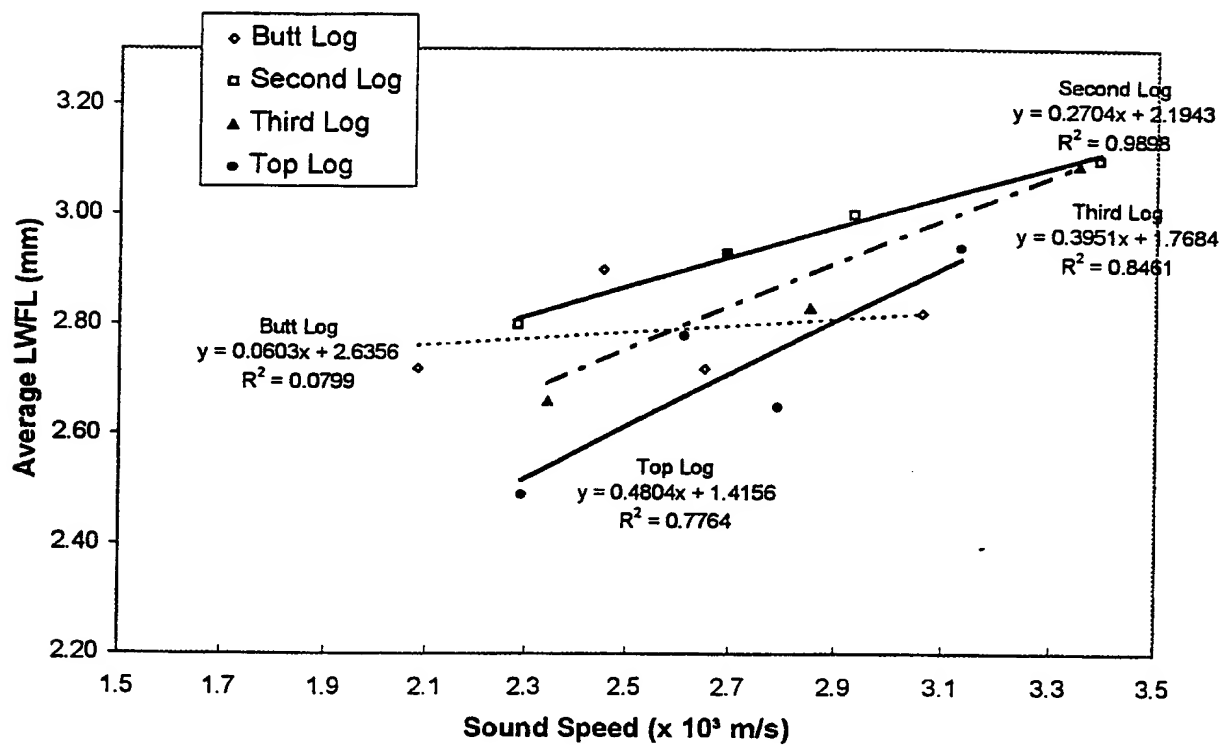


FIGURE 9

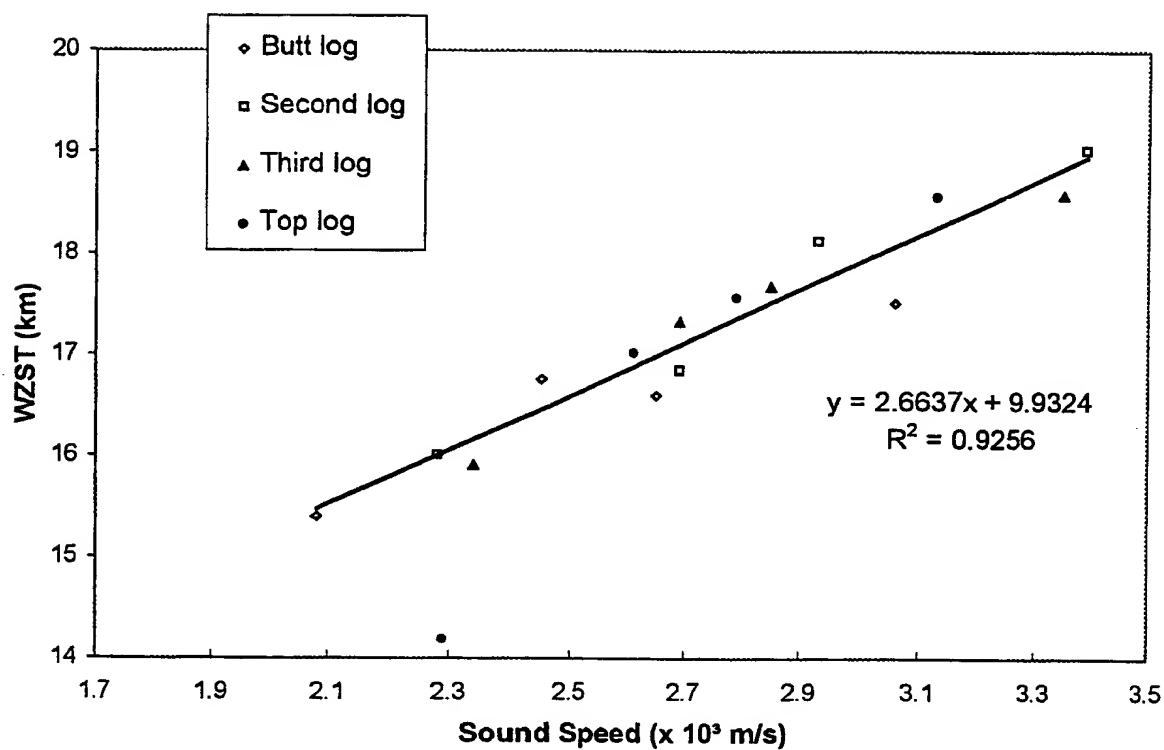


FIGURE 10

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
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AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
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BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
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CA	Canada	IT	Italy	MX	Mexico	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NE	Niger	VN	Viet Nam
CG	Congo	KE	Kenya	NL	Netherlands	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NO	Norway	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	NZ	New Zealand		
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EE	Estonia	LR	Liberia	SG	Singapore		

PCT/9/763511

REC'D 27 MARS 2000


## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 24752 GWW/eaw	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).	
International application No. PCT/NZ99/00137	International filing date (day/month/year) 24 August 1999	Priority Date (day/month/year) 24 August 1998
International Patent Classification (IPC) or national classification and IPC  Int. Cl. <sup>7</sup> G01N 33/46, 29/18		
Applicant CARTER HOLT HARVEY LIMITED et al		

1.	This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.																								
2.	<p>This REPORT consists of a total of 3 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of      sheet(s).</p>																								
3.	<p>This report contains indications relating to the following items:</p> <table border="0"> <tr> <td>I</td> <td><input checked="" type="checkbox"/></td> <td>Basis of the report</td> </tr> <tr> <td>II</td> <td><input type="checkbox"/></td> <td>Priority</td> </tr> <tr> <td>III</td> <td><input type="checkbox"/></td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td>IV</td> <td><input type="checkbox"/></td> <td>Lack of unity of invention</td> </tr> <tr> <td>V</td> <td><input checked="" type="checkbox"/></td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td>VI</td> <td><input type="checkbox"/></td> <td>Certain documents cited</td> </tr> <tr> <td>VII</td> <td><input type="checkbox"/></td> <td>Certain defects in the international application</td> </tr> <tr> <td>VIII</td> <td><input type="checkbox"/></td> <td>Certain observations on the international application</td> </tr> </table>	I	<input checked="" type="checkbox"/>	Basis of the report	II	<input type="checkbox"/>	Priority	III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	IV	<input type="checkbox"/>	Lack of unity of invention	V	<input checked="" type="checkbox"/>	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	VI	<input type="checkbox"/>	Certain documents cited	VII	<input type="checkbox"/>	Certain defects in the international application	VIII	<input type="checkbox"/>	Certain observations on the international application
I	<input checked="" type="checkbox"/>	Basis of the report																							
II	<input type="checkbox"/>	Priority																							
III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																							
IV	<input type="checkbox"/>	Lack of unity of invention																							
V	<input checked="" type="checkbox"/>	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
VI	<input type="checkbox"/>	Certain documents cited																							
VII	<input type="checkbox"/>	Certain defects in the international application																							
VIII	<input type="checkbox"/>	Certain observations on the international application																							

Date of submission of the demand 7 March 2000	Date of completion of the report 14 March 2000
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  <b>Ian Barrett</b> Telephone No. (02) 6283 2189

**I Basis of the report****1. With regard to the elements of the international application:\***☒ the international application as originally filed.☐ the description,        pages , as originally filed,  
   pages , filed with the demand,  
   pages , received on    with the letter of☐ the claims,        pages , as originally filed,  
   pages , as amended (together with any statement) under Article 19,  
   pages , filed with the demand,☐ the drawings,        pages , as originally filed,  
   pages , filed with the demand,☐ the sequence listing part of the description:  
   pages , as originally filed  
   pages , filed with the demand  
   pages , received on    with the letter of**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:**☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished**4. ☐ The amendments have resulted in the cancellation of:**☐ the description,        pages☐ the claims,        Nos.☐ the drawings,        sheets/fig.**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims 1-12	YES
	Claims	NO
Inventive step (IS)	Claims 1-12	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims	NO

**2. Citations and explanations (Rule 70.7)**

None of the prior art documents cited discloses the prediction of wood fibre or wood pulp characteristics for fibre or pulp produced from solid wood, based on measurement of the velocity of sound in the solid wood.

The closest prior art appears to be US 5224381 which discloses the determination of a class of mechanical properties that fit solid wood based on measurement of the speed of sound in the wood. However, there is no suggestion in this document alone, or in combination with other documents, that wood fibre or pulp characteristics could be predicted from a measurement of speed or velocity of sound in solid wood.

The invention of claims 1-12 is novel and inventive.

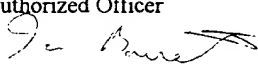
## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 24752 GWW/eaw	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).	
International application No. PCT/NZ99/00137	International filing date (day/month/year) 24 August 1999	Priority Date (day/month/year) 24 August 1998
International Patent Classification (IPC) or national classification and IPC  Int. Cl. <sup>7</sup> G01N 33/46, 29/18		
Applicant CARTER HOLT HARVEY LIMITED et al		

1.	This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.																
2.	<p>This REPORT consists of a total of 3 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheet(s).</p>																
3.	<p>This report contains indications relating to the following items:</p> <table border="0"> <tr> <td>I</td> <td><input checked="" type="checkbox"/> Basis of the report</td> </tr> <tr> <td>II</td> <td><input type="checkbox"/> Priority</td> </tr> <tr> <td>III</td> <td><input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td>IV</td> <td><input type="checkbox"/> Lack of unity of invention</td> </tr> <tr> <td>V</td> <td><input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td>VI</td> <td><input type="checkbox"/> Certain documents cited</td> </tr> <tr> <td>VII</td> <td><input type="checkbox"/> Certain defects in the international application</td> </tr> <tr> <td>VIII</td> <td><input type="checkbox"/> Certain observations on the international application</td> </tr> </table>	I	<input checked="" type="checkbox"/> Basis of the report	II	<input type="checkbox"/> Priority	III	<input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	IV	<input type="checkbox"/> Lack of unity of invention	V	<input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	VI	<input type="checkbox"/> Certain documents cited	VII	<input type="checkbox"/> Certain defects in the international application	VIII	<input type="checkbox"/> Certain observations on the international application
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VIII	<input type="checkbox"/> Certain observations on the international application																

Date of submission of the demand 7 March 2000	Date of completion of the report 14 March 2000
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  Ian Barrett Telephone No. (02) 6283 2189

**I. Basis of the report**

1. With regard to the **elements** of the international application:\*
- ☒ the international application as originally filed.
- ☐ the description,      pages , as originally filed,  
   pages , filed with the demand,  
   pages , received on    with the letter of
- ☐ the claims,      pages , as originally filed,  
   pages , as amended (together with any statement) under Article 19,  
   pages , filed with the demand,  
   pages , received on    with the letter of
- ☐ the drawings,      pages , as originally filed,  
   pages , filed with the demand,  
   pages , received on    with the letter of
- ☐ the sequence listing part of the description:  
   pages , as originally filed  
   pages , filed with the demand  
   pages , received on    with the letter of
2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
These elements were available or furnished to this Authority in the following language    which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, was on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description,      pages
- ☐ the claims,      Nos.
- ☐ the drawings,      sheets/fig.
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims 1-12	YES
	Claims	NO
Inventive step (IS)	Claims 1-12	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims	NO

**2. Citations and explanations (Rule 70.7)**

None of the prior art documents cited discloses the prediction of wood fibre or wood pulp characteristics for fibre or pulp produced from solid wood, based on measurement of the velocity of sound in the solid wood.

The closest prior art appears to be US 5224381 which discloses the determination of a class of mechanical properties that fit solid wood based on measurement of the speed of sound in the wood. However, there is no suggestion in this document alone, or in combination with other documents, that wood fibre or pulp characteristics could be predicted from a measurement of speed or velocity of sound in solid wood.

The invention of claims 1-12 is novel and inventive.

Information on patent family members

**PCT/NZ 99/00137**

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
US	5224381	CA	117085	EP	456776	FI	913610
		NO	912961	US	5224381	WO	9108477

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P11279PC00	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/NL99/00137	International filing date (day/month/year) 12/03/1999	Priority date (day/month/year) 13/03/1998
International Patent Classification (IPC) or national classification and IPC G01G19/14		
Applicant FPS FOOD PROCESSING SYSTEMS B.V. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  12/10/1999	Date of completion of this report  22.02.2000
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Hiltner, K  Telephone No. +49 89 2399 2198  

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/NL99/00137

## I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

### Description, pages:

1-11 as originally filed

### Claims, No.:

1-14 as originally filed

### Drawings, sheets:

1/10-10/10 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/NL99/00137

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims 1-14
	No: Claims
Inventive step (IS)	Yes: Claims 1-14
	No: Claims
Industrial applicability (IA)	Yes: Claims 1-14
	No: Claims

**2. Citations and explanations**

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/NL99/00137

re item V (Reasoned statement...):--

Closest prior art weighing apparatus is known from EP-A-0 687 508 (=D1) cited in the application on page 1, which weighing apparatus is for weighing objects (such as eggs) while they move over a weighing surface. Chains 20 are linked in D1 by two parallel conveyor rods 15 conveying the grippers 2.

The object to be achieved in the present application is higher accuracy of weighing. The solution according to the sole independent claim 1 is one conveyor rod 2, the grippers 1 being connected to the conveyor rod via at least one assembly of flexible members 4,5,6 as best seen in Fig. 8.

In FR-A-2 327 523 a scale of different type, i.e. for weighing stationary objects 3 is disclosed.

GB-A-969 864 discloses weighing of articles 7 pending on a grooved wheel 13 moving over a weighing rail section 1. The rail is connected to levers 5,6 whose elongation is measured, hence no guide comprised in the gripper 14 is used for weighing. The same principle is used in GB-A-991 662, see the grooved wheel 19 moving over a weighing rail section 1 and the two cantilevers 5,6.

JP-A-2-152 617 (abstract) does not disclose how the egg grippers 4 are moved along rail 3 to the weighing apparatus.

For the above reasons, the available prior art does not render obvious the subject matter of claim 1, hence Art. 33(3) PCT is met.

A weighing apparatus is, without any doubt, industrially applicable, Art. 33(4) PCT.

The dependent claims 2-14, perforce, meet the criteria of Art. 33 PCT.

re item VIII (Certain observations...):--

Lack of clarity of claim 5 (Art. 6 PCT):--

Claim 1 contains one assembly of flexible members. Dependent claim 5 contains a first and a second assembly of members and it is not clear whether these assemblies refer back to that of claim 1. The first assembly may consist of stiff members, see page 9, line 2. Hence claim 5 introduces two assemblies but it seems that only the second assembly contains flexible members whereas the first assembly is not that of claim 1.